

Oil pipe lines, interfering with use of lands, to be relocated.

he may deem necessary or desirable, in the vicinity of Shreveport, Louisiana, approximately twenty-five thousand acres, more or less, as a site for an aviation field, subject to such encumbrances as the Secretary of War in his discretion determines will not interfere with the use of the property for aviation or military purposes: *Provided further*, That should it be determined from time to time that any existing oil-pipe lines as located in, upon, or across said lands interfere with the use of said property, the Secretary of War may grant easements for new rights of way, subject to such provisions as he deems advisable, for the relocation of any said pipe lines in such other areas of the property as he determines will not substantially injure the interests of the United States therein."

Approved, July 1, 1930.

July 1, 1930.

[H. R. 12599.]

[Public, No. 494.]

CHAP. 788.—An Act To amend section 16 of the Radio Act of 1927.

Radio Act of 1927.
Decisions of Commission.

Vol. 44, p. 1169,

amended

U. S. C., Supp. IV,

p. 625.

Appeals from, taken

to Court of Appeals,

D. C.

By applicant, if construction permit, etc., refused.

If license revoked, etc.

If interests adversely affected, etc.

Procedure.

Proof of service.

Effective date of commission's decision.

Notice of appeal to be delivered to interested person, etc.

Statement of reasons for appeal, open to.

Papers filed in court.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16 of the Radio Act of 1927 (U. S. C., Supp. III, title 47, sec. 96) is amended by striking out the whole of said section and by inserting in lieu thereof the following:

"SEC. 16. (a) An appeal may be taken, in the manner hereinafter provided, from decisions of the commission to the Court of Appeals of the District of Columbia in any of the following cases:

"(1) By any applicant for a station license, or for renewal of an existing station license, or for modification of an existing station license, whose application is refused by the commission.

"(2) By any licensee whose license is revoked, modified, or suspended by the commission.

"(3) By any other person, firm, or corporation aggrieved or whose interests are adversely affected by any decision of the commission granting or refusing any such application or by any decision of the commission revoking, modifying, or suspending an existing station license.

"Such appeal shall be taken by filing with said court within twenty days after the decision complained of is effective, notice in writing of said appeal and a statement of the reasons therefor, together with proof of service of a true copy of said notice and statement upon the commission. Unless a later date is specified by the commission as part of its decision, the decision complained of shall be considered to be effective as of the date on which public announcement of the decision is made at the office of the commission in the city of Washington.

"(b) The commission shall thereupon immediately, and in any event not later than five days from the date of such service upon it, mail or otherwise deliver a copy of said notice of appeal to each person, firm, or corporation shown by the records of the commission to be interested in such appeal and to have a right to intervene therein under the provisions of this section, and shall at all times thereafter permit any such person, firm, or corporation to inspect and make copies of the appellant's statement of reasons for said appeal at the office of the commission in the city of Washington. Within thirty days after the filing of said appeal the commission shall file with the court the originals or certified copies of all papers and evidence presented to it upon the application involved or upon its order revoking, modifying, or suspending a license, and also a like copy of its decision thereon, and shall within thirty days thereafter file a full statement in writing of the facts and grounds for its decision as found and given by it, and a list of all interested per-

sons, firms, or corporations to whom it has mailed or otherwise delivered a copy of said notice of appeal.

"(c) Within thirty days after the filing of said appeal any interested person, firm, or corporation may intervene and participate in the proceedings had upon said appeal by filing with the court a notice of intention to intervene and a verified statement showing the nature of the interest of such party, together with proof of service of true copies of said notice and statement, both upon appellant and upon the commission. Any person, firm, or corporation who would be aggrieved or whose interests would be adversely affected by a reversal or modification of the decision of the commission complained of shall be considered an interested party.

Intervention, etc., of interested persons.

Interested person, etc., defined.

"(d) At the earliest convenient time the court shall hear and determine the appeal upon the record before it, and shall have power, upon such record, to enter a judgment affirming or reversing the decision of the commission, and, in event the court shall render a decision and enter an order reversing the decision of the commission, it shall remand the case to the commission to carry out the judgment of the court: *Provided, however,* That the review by the court shall be limited to questions of law and that findings of fact by the commission, if supported by substantial evidence, shall be conclusive unless it shall clearly appear that the findings of the commission are arbitrary or capricious. The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States upon writ of certiorari on petition therefor under section 347 of title 28 of the Judicial Code by appellant, by the commission, or by any interested party intervening in the appeal.

Early action by court.

Proviso.
Scope of review by court.

Finality of judgment.

"(e) The court may, in its discretion, enter judgment for costs in favor of or against an appellant, and/or other interested parties intervening in said appeal, but not against the commission, depending upon the nature of the issues involved upon said appeal and the outcome thereof: *Provided, however,* That this section shall not relate to or affect appeals which were filed in said Court of Appeals prior to the enactment of this amendment."

Judgment for costs.

Proviso.
Appeals taken prior to provisions herein not affected.

Approved, July 1, 1930.

CHAP. 801.—An Act To amend the Act entitled "An Act to regulate interstate transportation of black bass, and for other purposes," approved May 20, 1926.

July 2, 1930.

[S. 941.]

[Public, No. 495.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to regulate the interstate transportation of black bass, and for other purposes," approved May 20, 1926 (U. S. C., Sup. III, title 16, secs. 851–856), is amended to read as follows:

Black bass.
Vol. 44, p. 576,
amended.
U. S. C., Supp. IV,
p. 182.
Post, p. 1565.

"That when used in this Act the word 'person' includes company, partnership, corporation, association, and common carrier.

"Person", defined.

"SEC. 2. It shall be unlawful for any person to deliver or knowingly receive for transportation, or knowingly to transport, by any means whatsoever, from any State, Territory, or the District of Columbia, to or through any other State, Territory, or the District of Columbia, or to or through any foreign country, any large-mouth black bass (*Micropterus salmoides*) or any small-mouth black bass (*Micropterus dolomieu*), if (1) such transportation is contrary to the law of the State, Territory, or the District of Columbia from which such black bass is or is to be transported, or (2) such black bass has been either caught, killed, taken, sold, purchased, possessed, or transported, at any time, contrary to the law of the State, Territory,

Interstate, etc., transportation of, unlawful.

If contrary to laws of State, etc., of origin.

If illegally caught, etc.